Commonwealth of Kentucky

Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Issued under 401 KAR 52:020

Permittee Name:	**DANA Corporation – North American Sealing Products Division**
Mailing Address:	**500 Techwood Lane Danville, KY 40422**
Source Name:	**Same as above**
Mailing Address:	**Same as above**
Source Location:	**Same as above**
Permit Number:	**V-03-021, Revision 1**
Source A. I. #:	**384**
Activity #:	**APE20050001**
Review Type:	**Title V, Construction, and Operating**
Source ID #:	**21-021-00049**
Regional Office:	**London Regional Office 875 S. Main St. London, KY 40741 (606) 878-0157**
County:	**Boyle**
Application Complete Date:	**January 8, 2003**
Issuance Date:	**June 27, 2003**
Revision Date:	**October 7, 2005**
Expiration Date:	**June 27, 2008**

John S. Lyons, Director
Division for Air Quality

Revised 7/22/05

TABLE OF CONTENTS

Rev #	Permit type	Log or Activity#	Complete Date	Issuance Date	Summary of Action
----	**Initial Issuance**	**55322**	**1/8/03**	**6/27/03**	
1	**Significant Revision**	**APE20050001**	**6/7/05**	**10/07/05**	**Adding MLS Gasket Production Line (#3), EP 25, EP26, EP27, EP28, & EP29.** **Removed Electric Batch Oven, EP 3 (22)** **Revised standard language, Sections A, F, & G**

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Multi-Layer Steel (MLS) Gasket Production Lines 1, 2, and 3

01 (--) MLS Line 1 consisting of:

(11) Primer Oven / Applicator – MLS Line 1

Description: Moco 0.8 mmBtu oven
Maximum continuous rating: 2400 ft/hr
Installed: 2000

(12) 5 micron Oven / Applicator – MLS Line 1

Description: Moco 0.8 mmBtu oven
Maximum continuous rating: 2400 ft/hr
Installed: 2000

(13) 24 micron Oven / Applicator – MLS Line 1

Description: Moco 3.0 mmBtu oven
Maximum continuous rating: 2400 ft/hr
Installed: 2000

(14) Antistick Oven / Applicator – MLS Line 1

Description: Moco 0.8 mmBtu oven
Maximum continuous rating: 2400 ft/hr
Installed: 2000

02 (--) MLS Line 2 consisting of:

(16) Primer Oven / Applicator – MLS Line 2

Description: Feco 3.0 mmBtu oven
Maximum continuous rating: 3000 ft/hr
Installed: August 15, 2003

(17) 5 micron Oven / Applicator – MLS Line 2

Description: Feco 2.0 mmBtu oven
Maximum continuous rating: 3000 ft/hr
Installed: August 15, 2003

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Multi-Layer Steel (MLS) Gasket Production Lines 1, 2, and 3 (Continued)

(18) **24 micron Oven / Applicator – MLS Line 2**

Description: Feco 3.0 mmBtu oven
Maximum continuous rating: 180 ft/hr
Installed: August 15, 2003

(19) **Antistick Oven / Applicator – MLS Line 2**

Description: Feco 1.0 mmBtu oven
Maximum continuous rating: 3000 ft/hr
Installed: August 15, 2003

03 (--) **MLS Line 3 consisting of:**

(26) **Primer Oven / Single Applicator – MLS Line 3**

Description: Roll Coating, 8.1 lb/hr primer usage
Ajax Tocco Magnethermic, 2.0 mmBtu oven
Maximum continuous rating: 35 ft/min
Installed: Proposed Sept. 2005

(27) **14 micron Oven / Two Applicators – MLS Line 3**

Description: Applicator 1 - Screen Printer, 12.1 lb/hr coating usage rate
Applicator 2 – Curtain Coater, 99.1 lb/hr coating usage rate
Ajax Tocco Magnethermic, 2.0 mmBtu oven
Maximum continuous rating: 35 ft/min
Installed: Proposed Sept. 2005

(28) **30 micron Oven / Single Applicator – MLS Line 3**

Description: Screen Printer, 19.1 lb/hr coating usage rate
Ajax Tocco Magnethermic, 3.0 mmBtu oven
Maximum continuous rating: 35 ft/min
Installed: Proposed Sept. 2005

(29) **Antistick Oven / Single Applicator – MLS Line 3**

Description: Roll Coating, 1.1 lb/hr coating usage rate
Ajax Tocco Magnethermic, 1.0 mmBtu oven
Maximum continuous rating: 35 ft/min
Installed: Proposed Sept. 2005

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE

REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Multi-Layer Steel (MLS) Gasket Production Lines 1, 2, and 3 (Continued)

Control Equipment Description:

Type: Compact Valveless Regenerative Thermal Oxidation System(VRTO)
Model: VRTO-C
Manufacturer: Eisenmann
Burner/Combustion Chamber: Single Maxon or equivalent burner
Fuel: Natural Gas
Rated capacity: 6 mmBtu/hr
Date constructed: 2003

APPLICABLE REGULATIONS:

401 KAR 59:225, *New Miscellaneous Metal Parts and Products Surface Coating Operations*, applies to the VOC emissions of the coating operations listed above.

1. Operating Limitations:

a. The average combustion temperature of the VRTO in any three (3) hour period must not fall below the combustion temperature limit established during the most recent performance test. [See Testing Requirement 3.c., below]
b. The average gas volumetric flow rate or duct static pressure established during the most recent performance test is the minimum operating limit for the specific capture device. [See Testing Requirement 3.d. and e., below]
c. Emissions from the processes specified above shall be routed to the VRTO at all times.
d. The VRTO shall be operating at all times when one or more of the MLS production lines is in operation.

2. Emission Limitations:

The VRTO shall be designed and operated to prevent the processes identified above from discharging into the atmosphere more than fifteen (15) percent by weight of the VOCs net input into the affected facility. [401 KAR 59:225, Section 3, Standard for volatile organic compounds (VOC)]

Compliance Demonstration Method:

a. Compliance shall be demonstrated by the following material balance equation. [401 KAR 59:225, Section 4(2)]

VOCs Emitted
= [(Σ lbs of VOC input into the affected facility) x (Capture Efficiency) x (Destruction Efficiency)]
+ [(Σ lbs of VOC input into the affected facility) x (1 - Capture Efficiency)]
+ [(Annual hours of mixing operations) x (VOC emission factor for mixing operations in lb/hr)]
+ [(Annual hours of cleaning operations) x (VOC emission factor for cleaning operations in lb/hr)]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Multi-Layer Steel (MLS) Gasket Production Lines 1, 2, and 3 (Continued)

b. Compliance with VOC emission limitations, calculated individually for each MLS Line, shall be based on an averaging period not to exceed twenty-four (24) hours. [401 KAR 59:225, Section 4(5)]
c. The permittee shall keep as a record the previous versions of the SSM plan.
d. Prior to start up of the MLS Line 3, the permittee shall review the VRTO startup, shutdown, and malfunction plan and make any changes necessary to accommodate the new equipment.
   (i) The plan shall specify the operation and maintenance criteria for the affected source(s), the add-on air pollution control device, and the process and control system-monitoring equipment.
   (ii) The plan must also address the corrective actions in case of a malfunction of the emission capture system or the add-on control device.
   (iii) The permittee shall keep previous (i.e. superseded) versions of the operation and maintenance plan on record to be made available for inspection, upon request, by the Division for a period of 5 years after each revision to the plan.
e. The permittee shall install, calibrate, and maintain a temperature measurement device according to the manufacturer's specifications for monitoring the combustion temperature of the VRTO. The device shall have an accuracy of the greater of 0.75% of the temperature being measured expressed in °C (or °F) or +/- 2.5 °C (or Fahrenheit equivalent). The temperature measurement device shall be equipped with a recording device so that a permanent record is produced.

3. Testing Requirements:

a. The permittee shall conduct a performance test, consisting of three (3) test runs, to determine compliance with the percent reduction efficiency in accordance with d. Construction, Start-up, and Initial Compliance Demonstration Requirements in **Section G – General Conditions** for construction, reconstruction or modification of any component of the VRTO or any component venting to the VRTO that may affect the reduction efficiency of VOC.
b. The permittee shall provide written notification of both control and capture efficiency tests and demonstrations in accordance with section G.d.7. of this permit.
c. The permittee shall use the data collected during the performance test to calculate and record the average combustion temperature of the VRTO. This combustion temperature is the minimum operating temperature of the VRTO. [See Operating Limitation 1.a., above]
d. The permittee shall determine the capture efficiency for each separate capture device in the emission capture system utilizing the most applicable procedure outlined in Method 204 of Appendix M to 40 CFR Part 51.
e. The permittee shall calculate and record the average gas volumetric flow rate or duct static pressure for the three test runs for each capture device. This average volumetric flow rate or duct static pressure is the minimum operating limit for the specific capture device. [See Operating Limitation 1.b., above]
f. At least three months before the expiration date of this permit, the permittee shall conduct a performance test on the VRTO control system. This requirement shall be waived by the Division if a performance test has been performed within the previous two years.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Multi-Layer Steel (MLS) Gasket Production Lines 1, 2, and 3 (Continued)

4. Specific Monitoring Requirements:

The Specific Recordkeeping Requirements listed below dictate the monitoring requirements.

5. Specific Recordkeeping Requirements:

For the coating lines:

Daily records shall be maintained by the source for the most recent two (2) year period. These records shall be made available to the Cabinet or the U.S. EPA upon request, and shall contain the following: [401 KAR 59:225, Section 4(8)(a) – (g)]

a. Daily records of Applicable Regulation numbers shall be maintained by the source for the most recent two (2) year period.
b. Daily records of application method and substrate type shall be maintained by the source for the most recent two (2) year period.
c. Daily records of amount and type of coating (including catalyst and reducer for multicomponent coatings), or solvent used at each point of application, including exempt compounds shall be maintained by the source for the most recent two (2) year period.
d. Daily records of VOC content as applied in coating or solvent shall be maintained by the source for the most recent two (2) year period. Additionally, daily records of exempt solvent, water, and solids content of each adhesive, coating or solvent used, and density of each adhesive, coating, or solvent applied shall be maintained by the source for the most recent two (2) year period.
e. Daily records of the date for each application for coating or solvent shall be maintained by the source for the most recent two (2) year period.
f. Daily records of the amount of surface preparation, clean-up, or wash-up solvent (including exempt compounds) used and the VOC content of each shall be maintained by the source for the most recent two (2) year period.
g. Daily records of each drying/curing oven temperature shall be maintained by the source for the most recent two (2) year period.

For the VRTO and capture system:

a. Calculate and record the weight percentage of VOCs emitted each day. [401 KAR 59:225, Section 4(5)]
b. For each deviation, a record of whether the deviation occurred during a period of startup, shutdown, or malfunction.
c. The records required to show continuous compliance with the emission limits including continuous permanent records of the VRTO combustion chamber temperature and gas volumetric flow rate or duct static pressure for each separate capture device in the system.
d. Records of each add-on-control device performance test.
e. Records of the coating operation conditions during the add-on-control device performance test showing that the performance test was conducted under representative conditions.
f. During the performance test, the permittee must record the combustion temperature at least once every fifteen (15) minutes during each of the three test runs to satisfy continuous monitoring requirements.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

g. During the capture efficiency determination, the permittee shall record either the gas volumetric flow rate or the duct static pressure for each separate capture device in the system at least once every fifteen (15) minutes during each of the three test runs at a point in the duct between the capture device and the add-on-control device inlet.
h. For each capture system that is a Permanent Total Enclosure (PTE), the permittee shall record the data and documentation used to support that the capture system meets the criteria in Method 204 of Appendix M to 40 CFR Part 51 for a PTE and has a capture efficiency of 100 percent.
i. For each capture system that is not a PTE, the data and documentation used to determine capture efficiency.

6. Specific Reporting Requirements:

a. The average combustion temperature of the VRTO, the average gas volumetric flow rate or duct static pressure for each capture device, and the capture efficiency for each separate capture device established during the most recent performance test shall be reported as specified in condition F.11. of this permit.
b. The minimum combustion chamber temperature during operation for semiannual reporting periods shall be reported.
c. The minimum percent reduction efficiency during operation for semiannual reporting periods shall be reported.
d. If there is a deviation from an emission limitation (including any periods when emissions bypassed the add-on-control device and were diverted to the atmosphere), the permittee shall submit a report as specified in condition F.7. or F.8. of this permit.

7. Specific Control Equipment Operating Conditions:

See previous sections.

8. Alternate Operating Scenarios:

None.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

04 (04) Inline Room (Minster P2-150-48)

Description: Stainless Steel Gasket Press
Maximum continuous rating: 27 ft/min
Installed: 1989

05 (10) Aqueous Wash Vent – MLS Line 1

Description: Trek-Triton VI-SPL
Maximum continuous rating: 2400 ft/hour
Installed: 2000

06 (15) Aqueous Wash Vent – MLS Line 2

Description: Better Engineering Aqueous Wash System
Maximum continuous rating: 2400 ft/hour
Installed: August 15, 2003

25 (25) Aqueous Wash Vent – MLS Line 3

Description: Schmiedeskamp Aqueous Wash System
Maximum continuous rating: 40 ft/min
Installed: Proposed Jan. 2006

07 (20) Aqueous Wash Vent – Hard Coat

Description: Better Engineering Aqueous Wash System
Maximum continuous rating: 1200 ft/hour
Installed: 2002

08 (21) Hard Coating Oven

Description: Liberty International 3.2 mmBtu oven
Maximum continuous rating: 1200 ft/hr
Installed: 2002

09 (24) Minster Press Operations (Fugitive Emissions)

Description: Minster E2-400-72 (MLS CHG), Stainless Steel Gasket Press, 29 ft/min
Minster E2-400-60-42 (MLS EMG), Stainless Steel Gasket Press, 31 ft/min
Minster E2-300-54-36 (MLS EMG), Stainless Steel Gasket Press, 25 ft/min
Minster E2-200-48-36 (Hand Area), Stainless Steel Gasket Press, 17 ft/min
Minster E2-400-60-42 (Hand Area), Stainless Steel Gasket Press, 25 ft/min
Installed: 1989

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Points 04, 05, 06, 07, 08, 09, and 25 (Continued)

VOC emissions from EP 04 and 09 are from lubricant usage only.
Emissions from EP 08 are from the combustion of natural gas only.

Control Equipment Description: None.

Applicable Regulations: None.

1. **Operating Limitations:** None.

2. **Emission Limitations:** None.

3. **Testing Requirements:** None.

4. **Specific Monitoring Requirements:** None.

5. **Specific Recordkeeping Requirements:** None.

6. **Specific Reporting Requirements:** None.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

Description	Generally Applicable Regulation
Quality Lab Exhaust	None.

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

2. VOC emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
    a. Date, place as defined in this permit, and time of sampling or measurements;
    b. Analyses performance dates;
    c. Company or entity that performed analyses;
    d. Analytical techniques or methods used;
    e. Analyses results; and
    f. Operating conditions during time of sampling or measurement.

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b(IV) 2 and 1a(8) of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
    a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
    b. To access and copy any records required by the permit:
    c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

    Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Section 1b (V)1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports.

7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
    a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
    b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.

8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within *30 days*. Other deviations from permit requirements shall *be included in the semiannual report required by Section F.6* [Section 1b (V) 3, 4. of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
    a. Identification of the term or condition;
    b. Compliance status of each term or condition of the permit;
    c. Whether compliance was continuous or intermittent;
    d. The method used for determining the compliance status for the source, currently and over the reporting period.
    e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality
London Regional Office
875 S. Main Street
London, KY 40741

U.S. EPA Region 4
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth Street
Atlanta, GA 30303-8960

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.

11. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

SECTION G - GENERAL PROVISIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 and of the Clean Air Act and is grounds for enforcement action including but not limited to termination, revocation and reissuance, revision or denial of a permit [Section 1a, 3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020 Section 26].

2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a, 6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
   a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
   b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
   c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

   Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Section 1a, 7,8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a, 14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a, 4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a, 15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a, 10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3)(b)].

11. This permit does not convey property rights or exclusive privileges [Section 1a, 9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Environmental and Public Protection or any other federal, state, or local agency.

13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3)(d)].

14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3)(a)].

15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

SECTION G - GENERAL PROVISIONS (CONTINUED)

16. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of issuance. Compliance with the conditions of a permit shall be considered compliance with:
    a. Applicable requirements that are included and specifically identified in the permit and
    b. Non-applicable requirements expressly identified in this permit.

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:020, Section 12].

2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:020 Section 8(2)].

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).

2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements
Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein**, emission points 25, 26, 27, 28, and 29**, in accordance with the terms and conditions of this permit.

1. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)

2. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the Division's Frankfort Central Office, notification of the following:
   a. The date when construction commenced.
   b. The date of start-up of the affected facilities listed in this permit.
   c. The date when the maximum production rate specified in the permit application was achieved.

3. Pursuant to 401 KAR 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.

4. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the Cabinet.

5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration (test) on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. These performance tests must also be conducted in accordance with General Provisions G(d)7 of this permit and the permittee must furnish to the Division for Air Quality's Frankfort Central Office a written report of the results of such performance test.

6. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

SECTION G - GENERAL PROVISIONS (CONTINUED)

7. Pursuant to 401 KAR 50:045 Section 5 in order to demonstrate that a source is capable of complying with a standard at all times, a performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirement on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.

(e) Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
   a. An emergency occurred and the permittee can identify the cause of the emergency;
   b. The permitted facility was at the time being properly operated;
   c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
   d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
   e. This requirement does not relieve the source of other local, state or federal notification requirements.

2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].

3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

   RMP Reporting Center
   P.O. Box 1515
   Lanham-Seabrook, MD 20703-1515.

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
   a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
   b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
   c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
   d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
   e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
   f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

SECTION H - ALTERNATE OPERATING SCENARIOS

None.

SECTION I - COMPLIANCE SCHEDULE

N/A